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Attorneys for Plaintiff

JOHN A. MOFFETT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

JOHN A. MOFFETT,

Plaintiff,

vs.

SMF SYSTEMS CORPORATION, a
Maryland corporation; TOM
CAFFREY; RUBY CAFFREY; DOE
CORPORATIONS 1-20; DOE
PARTNERSHIPS 1-20; DOE
ENTITIES 2-10; JOHN DOES 1-20;
JANE DOES 1-20; DOE
GOVERNMENTAL AGENCIES 1-20,

Defendants.

CIVIL NO. 03-00130 HG/BMK

PLAINTIFF'S INITIAL
DISCLOSURES

TRIAL: No Trial Date Set.

COPY SENT TO CLIENT

DATE: 12/18/03

INITIALS: LJS

PLAINTIFF'S INITIAL DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Plaintiff JOHN A. MOFFETT ("Moffett") hereby submits his Initial Disclosures:

I. INITIAL DISCLOSURE OF PERCIPIENT WITNESSES

Moffett submits the following list of individuals who may have discoverable information in support of his claims or otherwise relevant to disputed facts herein:

1. John A. Moffett
c/o Barbara A. Petrus, Esq.
Goodsill Anderson Quinn & Stifel LLP
1099 Alakea Street, Suite 1800
Honolulu, Hawaii 96813
(808) 547-5600
Will testify as to issues of liability and damages including, but not limited to: his employment with SMF Systems Corporation; his knowledge of the sexual harassment against Monica Nelson and of illegal and/or improper activities at SMF Systems; his complaints to Defendants and to the Department of Defense Hotline ("DOD Hotline"); the subsequent investigation into his complaint to the DOD Hotline; his termination from employment; and Defendants' ongoing retaliatory actions against him.
2. Tom Caffrey
c/o Lynne T. Toyofuku, Esq.
Dwyer Schraff Meyer Jossem & Bushnell
1800 Pioneer Plaza
900 Fort Street Mall
Honolulu, Hawaii 96813
(808) 524-8000
Will testify as to issues of liability including, but not limited to: the employment of Moffett; Moffett's complaints regarding

the sexual harassment against Monica Nelson and of other illegal and/or improper activities at work; SMF Systems' failure to respond to Moffett's complaints; and his termination of Moffett.

3. Ruby Caffrey
c/o Lynne T. Toyofuku, Esq.
Dwyer Schraff Meyer Jossem & Bushnell
1800 Pioneer Plaza
900 Fort Street Mall
Honolulu, Hawaii 96813
(808) 524-8000
Will testify as to issues of liability including, but not limited to: Moffett's complaints to her regarding sexual harassment against Nelson and of other illegal and/or improper activities at work; SMF Systems' failure to respond to Moffett's complaints; her correspondence with Moffett concerning irregularities in SMF Systems' handling of contributions into Moffett's 401(k) plan; the telephone discussion she had with Moffett in March 2001; and Moffett's termination from SMF Systems.
4. Monica Nelson
13208 Myford Road, #401
Tustin, California 92782
(714) 389-1694
Will testify as to issues of liability including, but not limited to: the sexual harassment against her by David Millard and Wes Green; her informing Moffett of these incidents of sexual harassment; her giving Moffett permission to complain about the sexual harassment to SMF Systems; her being interviewed by U.S. Army investigators after Moffett complained to the DOD Hotline; and her termination from employment following this interview.

5. Robert Nehmad
935 Kauku Place
Honolulu, Hawaii 96825
(808) 396-1910
Will testify as to issues of liability including, but not limited to: his knowledge of Monica Nelson's complaint to him about sexual harassment; his knowledge of Moffett's complaint to him about the sexual harassment against Nelson and of other illegal and/or improper activities at SMF Systems; and his knowledge of SMF Systems' failure to respond to those complaints.
6. Lt. Col. Mark Johnson (ret.)
10605 Shadow Lane
Fairfax Station, VA 22039
(703) 405-0061 (cell)
Will testify as to issues of liability including, but not limited to: his knowledge of the phone call in early March 2001 between Moffett and Ruby Caffrey, which Tom Caffrey referred to as "unprofessional" and on which he claimed to have based Moffett's termination.
7. Anna Louie
91-1533 Halahinano Street
Kapolei, Hawaii 96707
(808) 778-1170
Will testify as to issues of liability including, but not limited to: her supervision of Moffett at SMF Systems; her knowledge of Moffett's termination; and her knowledge regarding illegal and/or improper activities that occurred at SMF Systems.
8. Edward Cheski
6370 Hawaii Kai Drive, #50
Honolulu, Hawaii 96825
(808) 781-3891 (cell)
Will testify as to issues of liability including, but not limited to: his knowledge of the sexual harassment against Monica Nelson; his knowledge that SMF Systems failed to respond to Nelson's complaint of the sexual harassment; his knowledge

that Nelson gave permission to Moffett to complain to SMF Systems; and his knowledge that Moffett complained on behalf of Nelson to SMF Systems and then to the government.

9. Katherine M. Elliott Perez
91-1017 Kaileonui Street
Ewa Beach, Hawaii 96706
(808) 258-2090
Will testify as to issues of liability including, but not limited to: her knowledge of the sexual harassment against Monica Nelson; her knowledge of Nelson complaining about the harassment to SMF Systems; her knowledge that Nelson gave permission to Moffett to complain to SMF Systems; and her knowledge that Moffett complained on behalf of Nelson to SMF Systems.
10. Lori Hoffman
91-1071 Namahoe Street
Kapolei, Hawaii 96707
(808) 471-8692
Will testify as to issues of liability including, but not limited to: her knowledge of the sexual harassment against Monica Nelson; and her knowledge of illegal and/or improper activities at SMF Systems.
11. Doreen Vining (fka Doreen Jordan)
91-217 Lukini Place
Ewa Beach, Hawaii 96706
(808) 685-3106
Will testify as to issues of liability including, but not limited to: her knowledge of the sexual harassment against Nelson; and her knowledge of illegal and/or improper activities at SMF Systems.
12. Rowena Tanicala
Address currently unknown
(808) 780-1649 (cell)
Will testify as to issues of liability including, but not limited to: her knowledge of actions taken against Moffett following

his termination from SMF Systems; and her knowledge of illegal and/or improper activities at SMF Systems.

13. Peter Noel
2149 Pauole Place
Honolulu, Hawaii 96821
(808) 438-0992
Will testify as to issues of liability including, but not limited to: his knowledge that SMF Systems maintains the support contract at the 516th Signal Brigade at Fort Shafter
14. Scott Swim
Address and phone number currently unknown
Will testify as to issues of liability including, but not limited to: his knowledge of the improprieties and/or illegalities that occurred at SMF Systems.
15. Rob Schady
Address currently unknown
(520) 538-7855
May testify as to issues of liability, including but not limited to: his knowledge of illegal and/or improper activities at SMF Systems.
16. Laura O'Brennan
Contracting Officer, U.S. Army Network Enterprise Technology Command (NETCOM)
Fort Huachuka, Arizona
(520) 538-8698
May provide testimony concerning SMF Systems having a current contract to provide technical services to support the 516th Signal Brigade at Fort Shafter, Hawaii, and that this contract was awarded on November 1, 2002 for one year and is currently being extended month by month.

17. Matthew Olsen
GS-13
516th Signal Brigade, Fort Shafter, Hawaii
(808) 438-8227
May provide testimony concerning SMF Systems having a current contract to provide technical services to support the 516th Signal Brigade at Fort Shafter, Hawaii.
18. Mick Hipsher
Criminal Investigation Division, Special Agent
Schofield Barracks, Hawaii
(808) 655-2517
May provide testimony concerning his investigation into Moffett's complaint to the DOD Hotline.
19. Lisa Medreno
Criminal Investigation Division, Special Agent
Address and phone number currently unknown
May provide testimony concerning her investigation into Moffett's complaint to the DOD Hotline.
20. Ryan Blount
Criminal Investigation Division, Special Agent
Address and phone number currently unknown
May provide testimony concerning his investigation into Moffett's complaint to the DOD Hotline.
21. Bernard Vaiulu
Criminal Investigation Division, Special Agent
Address and phone number currently unknown
May provide testimony concerning his investigation into Moffett's complaint to the DOD Hotline.
22. Lt. Col. Christopher C. Teasly, Inspector General
Address and phone number currently unknown
May provide testimony concerning Moffett's complaint to the DOD Hotline and the investigation of that complaint.

23. Lt. Col. John Stancu
Address and phone number currently unknown
May provide testimony concerning Moffett's complaint to the
DOD Hotline and the investigation of that complaint.
24. Lt. Col. Matt Sweeny
Address and phone number currently unknown
May provide testimony concerning Moffett's complaint to the
DOD Hotline and the investigation of that complaint.
25. Dr. Kenneth Luke
600 Kapiolani Boulevard, Suite 402
Honolulu, Hawaii 96813
(808) 537-2665
Will testify as to issues of damages, including but not limited
to: his treatment of Moffett.
26. Mette Moffett
c/o Barbara A. Petrus, Esq.
Goodsill Anderson Quinn & Stifel LLP
1099 Alakea Street, Suite 1800
Honolulu, Hawaii 96813
(808) 547-5600
Will testify as to issues of damages including, but not limited
to: the effects of SMF Systems' actions upon Moffett.

In addition to the foregoing, Moffett adopts and incorporates by reference herein the witnesses and their respective bases of testimony contained in the Initial Disclosures filed by all other parties herein.

Moffett reserves the right to supplement this list, if appropriate, as additional information is learned. Moffett has not made a decision regarding the retention of consulting or testifying experts at this time, but reserves the right to offer testimony of an expert or experts.

II. DOCUMENTS

Moffett discloses the following documents:

1. Documents relating to Moffett's employment with SMF Systems.
2. E-mail correspondence with Defendants.
3. Correspondence and enclosures to the DOD Hotline regarding his complaint to the DOD Hotline.
4. Correspondence from the DOD Inspector General to SMF Systems regarding Moffett's complaints.
5. Correspondence from counsel for SMF Systems to Moffett demanding reimbursement of tuition payments.

Discovery in this matter is ongoing. Moffett reserves the right to supplement this list.

III. COMPUTATION OF DAMAGES

Moffett is seeking special, general and punitive damages in amounts to be proven at trial. Moffett's special damages include the following:

1. Lost wages, unpaid vacation, unreimbursed training expenses, and unreimbursed travel expenses: \$114,516.69
2. Medical expenses: \$1,072.90
3. Amounts erroneously withdrawn from Moffett's 401(k) retirement plan: \$3,256.24
4. Double back pay, interest on the back pay, attorneys' fees and costs pursuant to 31 U.S.C. § 3730(h)

5. Attorney's fees incurred by Moffett to successfully challenge and dismiss SMF Systems' complaint against him in the Superior Court of California, County of Contra Costa: \$1,600.00

Discovery in this matter is ongoing. Moffett reserves the right to supplement this computation.

IV. INSURANCE COVERAGE

This issue is not relevant to Moffett.

DATED: Honolulu, Hawaii, December 17, 2003.



BARBARA A. PETRUS
ANNE T. HORIUCHI

Attorneys for Plaintiff
JOHN A. MOFFETT